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7 TUCKER, SGT. BERNARD ORTIZ

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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**
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13 MIGUEL ORTEGA, BENJAMIN ORTEGA,

14 Plaintiffs,

15 v.

16 CITY OF OAKLAND, OAKLAND POLICE
DEPARTMENT, WAYNE TUCKER, In His
17 Capacity as the Police Chief of the City of
Oakland, RAMON J. ALCANTAR, Individually
and in his capacity as a Police Officer for the
18 City of Oakland, B. ORTIZ, Individually and in
his capacity as a Police Officer for the City of
19 Oakland, DOES 1 THROUGH 200,

20 Defendants.
21

Case No. C-07-02659 (JCS)

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF DEFENDANTS' MOTION
TO STRIKE SECOND AMENDED
COMPLAINT 9TH CAUSE OF ACTION
(FRCP 12(f))**

Date: August 8, 2008
Time: 9:30 a.m.
Dept.: Courtroom A, 15th Floor
The Honorable Joseph C. Spero

22 Pursuant to Federal Rule of Evidence 201(d), defendant hereby requests the Court take
23 judicial notice of the following matters of public record, attached hereto:

24 Exhibit A: First Amended Complaint filed September 7, 2007.

25 Exhibit B: Civil Minute Order dated November 16, 2007.

26 Exhibit C: Second Amended Complaint filed November 27, 2007.

1 Exhibit D: Civil Docket for Case no. C 07-02659 JCS.

2
3 Dated: July 1, 2008

4 JOHN A. RUSSO, City Attorney
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9 By: /S/ KANDIS A. WESTMORE
10 Attorneys for Defendants,
11 CITY OF OAKLAND, OAKLAND POLICE DEPARTMENT,
12 WAYNE TUCKER, and BERNARD ORTIZ
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